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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

FILED

DEC 1 4 2007

DAVID CREWS, CLERK
By _Joanne Beitelson_
Deputy

WILBUR ANDERSON
Plaintiff

v.   CASE NO. *4:07CV203-M-D*

HUMPHREYS COUNTY SHERIFF'S DEPT.
Defendant

PRISONER'S COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT

1. The Plaintiff's full legal name, the name under which the Plaintiff was sentenced, the Plaintiff's inmate identification number, the Plaintiff's mailing address, and the Plaintiff's place of confinement are as follows:

    A. Legal name: *Wilbur Anderson, #*

    B. Name under which sentenced: *Wilbur Anderson*

    C. Inmate identification number: *60228*

    D. Plaintiff's mailing address (street or post office box number, city, state, ZIP): *CMCF Area III, A-2 P.O. Box 88550, Pearl MS 39288*

    E. Place of confinement: *Central MS Correctional Facility*

2. Plaintiff names the following person(s) as the Defendant(s) in this civil action:

    Name: *Wayne Holloway*

    Title (Superintendent, Sheriff, etc.): *Sheriff Humphreys County*

    Defendant's mailing address (street or post office box number, city, state, ZIP) *102 Castleman St Belzoni, MS 39038*

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Name: _Chief Deputy Roseman_

Title (Superintendent, Sheriff, etc.): _Chief Deputy_

Defendant's mailing address (street or post office. box number, city, state, ZIP) _102 Castleman St._ _Belzoni, MS 39038_

Name: _____

Title (Superintendent, Sheriff, etc.): _____

Defendant's mailing address (street or post office box number, city, state, ZIP) _____

Name: _____

Title (Superintendent, Sheriff, etc.): _____

Defendant's mailing address (street or post office box number, city, state, ZIP) _____

(If additional Defendants are named, provide on separates sheets of paper the complete name, title, and address information for each. Clearly label each additional sheet as being a continuation of Question 2).

3. Have you commenced other lawsuits in any other court, state or federal, dealing with or pertaining to the same facts that you allege in this lawsuit or otherwise relating to your imprisonment? ☐ Yes   ☒ No

4. If you checked "Yes" in Question 3, describe each lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuit(s) on separate sheets of paper; clearly label each additional sheet as being a continuation of Question 4.

A. Parties to the lawsuit:

Plaintiff(s): _____

Defendant(s): _____

B. Court: _____   C. Docket No.: _____

D. Judge's Name: _____   E. Date suit filed: _____

F. Date decided: _____   G. Result (affirmed, reversed, etc.): _____

5. Is there a prisoner grievance procedure or system in the place of your confinement? ☐ Yes   ☒ No

6. If "Yes," did you present to the grievance system **the same facts and issues** you allege in this complaint? (See question 9, below). ☐ Yes   ☐ No

7. If you checked "Yes" in Question 6, answer the following questions:

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A. Does the grievance system place a limit on the time within which a grievance must be presented? ☐ Yes ☑ No

B. If you answered "Yes," did you file or present your grievance within the time limit allowed? ☐ Yes ☐ No

C. The court must find that you exhausted the prison's grievance system and administrative remedies before it can consider this Complaint. State everything you did to present your grievance(s). Be specific. Include the date(s) on which you filed or presented your grievances to prison officers; identify the officer(s). State your claim(s) exactly.

No Action took place regarding the grievance system because None existed.

D. State specifically what official response your grievance received. If the prison provides an administrative review of the decision on your grievance, state whether you applied for that review and what the result was.

N/A

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ND Miss. Form P3, Complaint Challenging Conditions of Confinement (4/00)

> **Special Note:** Attach to this Complaint as exhibits complete copies of all requests you made for administrative relief through the grievance system, all responses to your requests or grievances, all administrative appeals you made, all responses to your appeals, and all receipts for documents that you have.

8.   If you checked "No" in Question 6, explain why you did not use the grievance procedures or system:

The Humphreys County Sheriffs Dept has no such grievance procedure.

9.   Write below, as briefly as possible, the **facts** of your case. Describe how **each** Defendant is involved. Write the names of all other persons involved. Include dates and precise places of events. Do not give any legal argument or cite any legal authority. If you have more than one claim to present, number each claim in a separate paragraph. Attach additional pages only if necessary; label attached pages as being continuations of Question 9.

On or about the 28th day of Sept. 2006 at approximately 1650 p.m. Deputy Wilder of the Humphreys County Sheriff's Dept. received a call for assistance regarding the need due to other units being in pursuit of a vehicle in which I, Wilbur Anderson was a passenger. Once the Sheriff's Dept. had the vehicle stopped and the situation under control, I Wilbur Anderson was arrested and taken into custody. I was transported to the Humphreys County Gail where I was advised that I was being Charged with Attempted Aggravated Assault on a law enforcement officer.

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The next day I was transfered to the
Holmes County Jail where I remained
for approx 1½ months. I was held during this
period without an Initial opperance. (SEE Attached)

10. State **briefly** exactly what you want the court to do for you. Do not make legal arguments. Do not cite legal authority.

Due to this Plaintiff's
Suffering for more than a month
in jail without an Initial Apperance
and no bond Plaintiff ask for
monetary damages to be determined
at a later date.

This Complaint was executed at (location): Central MS. Corr. Facility

and I declare or certify or verify or state under penalty of perjury that this Complaint is true and correct.

Date: Oct 31, 2007

Wilbur Anderson
Plaintiff's Signature

STATEMENT CONTINUED

1. As Chief Law Enforcement Officer, Sheriff Holloway is responsible for all actions taken by his Staff at the Dept. and Jail.

2. Defendant Roseman, as Chief Deputy is responsible for carrying out all orders and duties of the Sheriff including the Jail requirements such as prisoners Initial Appearances. Chief Roseman is expected to adhere to the policies set forth for detainees.